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6 Attorneys for Plaintiffs  
7 VERONICA GUTIERREZ, TIM FOX, ERIN WALKER  
and WILLIAM SMITH, on behalf of themselves and  
8 all others similarly situated,

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14 Attorneys for Defendants  
15 WELLS FARGO BANK, N.A. and

16  
17 UNITED STATES DISTRICT COURT  
18 FOR THE NORTHERN DISTRICT OF CALIFORNIA

19  
20 VERONICA GUTIERREZ, ERIN  
WALKER and WILLIAM SMITH, as  
21 individuals, and on behalf of all others  
similarly situated,

22 Plaintiffs,

23 v.

24 WELLS FARGO & COMPANY; WELLS  
25 FARGO BANK, N.A.; and DOES 1 through  
125,

26 Defendants.

19 Civil Case No.: C-07-5923 WHA (JCSx)

20 CLASS ACTION

21 STIPULATION TO CONTINUE THE  
TIME TO RESPOND TO  
ADMIMISTRATIVE MOTION FILED  
BY PLAINTIFFS

22 Hon. William H. Alsup

23 Complaint filed: November 21, 2007

24 //

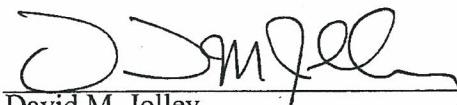
1 On October 8, 2008, Plaintiffs filed an Administrative Motion for the Court to consider whether  
2 to relate the newly filed Spears-Hammond v. Wachovia Bank with the subject case.

3 The following paragraph is according to Plaintiff's counsel. There has not been an appearance  
4 made by Defendant Wachovia in the Spears-Hammond case. The complaint is out for service. A  
5 courtesy copy of the Administrative Motion was provided by Plaintiffs' counsel to attorney James  
6 McGuire of Morrison & Foerster, LLP on October 10, 2008, because Mr. McGuire had earlier  
7 responded on behalf of Wachovia to the notice of intent letter required by CLRA. On October 10, 2008,  
8 an associate of Mr. McGuire requested that Wachovia be provided until October 16, 2008 to respond to  
9 the Administrative Motion, which Plaintiff agreed to subject to Wells Fargo approval and the Court's  
10 approval.

11 Accordingly, the Parties do hereby stipulate, subject to Court approval, that the time for  
12 Wachovia to respond to the Administrative Motion filed by Plaintiffs is October 16, 2008.  
13

14 DATED: Oct. 13, 2008

COVINGTON & BURLING LLP

16 By:   
17 David M. Jolley  
18 Attorneys for Defendants

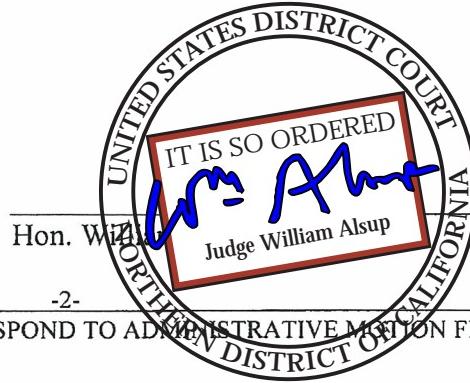
19 DATED: Oct. 13, 2008

McCUNE & WRIGHT, LLP

21 By:   
22 Richard D. McCune  
23 Attorneys for Plaintiffs

25 IT IS SO ORDERED.

27 DATED: October 14, 2008



28 STIPULATION TO CONTINUE THE TIME TO RESPOND TO ADMINISTRATIVE MOTION FILED BY PLAINTIFFS  
C 07-05923 WHA (JCSx)

## CERTIFICATE OF SERVICE

## STATE OF CALIFORNIA

## COUNTY OF SAN BERNARDINO

I am employed in the County of San Bernardino, State of California. I am over the age of 18 years and not a party to the within action; my business address is 2068 Orange Tree Lane, Suite 216, Redlands, California, 92374.

**On October 13, 2008, I electronically filed the documents titled:**

**1. STIPULATION TO CONTINUE THE TIME TO RESPOND TO  
ADMINISTRATIVE MOTION FILED BY PLAINTIFFS**

with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following interested parties:

Sonya D. Winner: SWinner@cov.com

**David M. Jolley:** djolley@cov.com

**Attorneys for Defendant, Wells Fargo Bank, N.A.**

Further, I am readily familiar with the firm's business practice for collection and processing of documents for service. Under that practice, I caused such document to be sent on the above-referenced date to the following non CM/ECF participants *VIA FACSIMILE*:

**James R. McGuire, Esquire  
MORRISON | FOERSTER  
125 Market Street  
San Francisco, CA 94105  
415.268.7013 | 415.268.7522 (fax)**

**Counsel on behalf of Wachovia Corporation**

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made. Executed on the above-referenced date at Redlands, California.

Ann Marie Smith